

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF GEORGIA  
MACON DIVISION

J. T. BIRSTON,

Plaintiff

VS.

T. PRIMUS, *et al.*,

Defendants

NO. 5:07-CV-68 (HL)

PROCEEDINGS UNDER 42 U.S.C. §1983  
BEFORE THE U. S. MAGISTRATE JUDGE

**ORDER**

Before the court is defendants' **MOTION TO CONSOLIDATE CASES**. Tab #13. The defendants' motion asks that the court consolidate the above-styled action with *Spencer v. Primus, et al.*, Civil Action No. 5:07-CV-69 (CAR), and *Gross v. Primus*, Civil Action No. 5:07-CV-93 (WDO). The defendants have asserted that the issues of law fact in the three cases are common and that a consolidation would serve the interests of economy and justice.

While the issues involved may be common in law and fact, the court is not inclined to appoint counsel for any of the plaintiffs in these cases, all of whom are litigating their cases on their own behalf. Consolidation of these three cases would therefore lead to three separate inmates' co-litigating one action, which would likely lead to more trouble than convenience. Accordingly, the defendants' motion is **DENIED**.

SO ORDERED this 6<sup>th</sup> day of NOVEMBER, 2007.



A handwritten signature in blue ink, reading "Claude W. Hicks, Jr.".

CLAUDE W. HICKS, JR.  
UNITED STATES MAGISTRATE JUDGE